

claim 28. Applicants have cancelled claims 28–34 and added new claims 35–40. For at least the following reasons, Applicants respectfully submit that the application, as amended, is in condition for allowance.

A. Supplemental Information Disclosure Statement

Applicants have submitted herewith a Supplemental Information Disclosure Statement. The Examiner is requested to consider the pending claims with respect to the references cited therein.

The Examiner is invited to consider the pending claims for issues for double patenting or obviousness-type double patenting with respect to the following patents or co-pending applications: U.S. Patent No. 5,690,712; U.S. Patent No. 5,613,992; Application Serial No. 08/884,205, filed June 27, 1997; Application Serial No. 09/025,828, filed February 19, 1998; and Application Serial No. 09/044,709, filed March 19, 1998. If the Examiner needs assistance in obtaining copies of any of these pending applications, the Examiner is invited to telephone the undersigned, who would be happy to assist the Examiner.

B. Rejection Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claim 22 under § 112, second paragraph, as indefinite. Specifically, the verb "is" was omitted.

Applicants have amended claim 22 to insert the word "is" appropriately. Applicants respectfully submit that each of the pending claims fully complies with § 112.

C. Allowable Subject Matter

The Examiner indicated that claim 28 would be allowed if rewritten in independent form. Applicants have amended independent claim 27 to include the subject matter of claim 28. Therefore, Applicants submit that claim 27, as amended, is allowable. Applicants have added new claims 35–40. Each of these claims depends upon allowable claim 27. Therefore, Applicants respectfully submit that claims 35–40 are also allowable.

The remaining pending claims, claims 15–26, were already indicated as allowable by the Examiner.

Applicants have cancelled the subject matter of original claim 27 and claims 29–34. These claims were rejected under § 102(e) as anticipated by *Engel* '992. Applicants strongly disagree with the legal foundation of this rejection. In order to expedite prosecution, Applicants have cancelled these claims and intend to pursue these claims in a divisional application.


In view of the foregoing amendments and remarks, Applicants respectfully submit that the application, as amended, is in condition for allowance. Applicants request reconsideration, reexamination, and a Notice of Allowance.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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